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TECHNOLOGY CENTER 2800

In re Application of: Sungho JIN et al.

Serial No.: 09/338,520

Filed: June 23, 1999

Group Art Unit: 2879 ✓

Examiner: A. Patel

For: CATHODE WITH IMPROVED WORK FUNCTION AND METHOD  
FOR MAKING THE SAMEMAIL STOP: ASSIGNMENT DIVISION  
Commission for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 9, 2004

TRANSMITTAL COVER LETTER

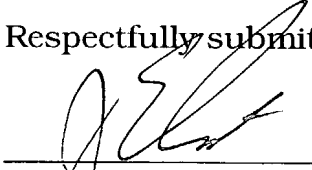
Sir:

Enclosed please find the following regarding the chain of title of assignment for the above-named application:

Statement Under 37 CFR 3.73(b);  
Assignment from Lucent Technologies, Inc. to Agere Systems Guardian Corp.;  
Certificate of Ownership and Merger of Agere Systems Guardian Corp. into Agere Systems Inc.; and  
Certification from the State of Delaware.

No fee is believed due. However, in the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or credit Deposit Account No. 08-0750 as required.

Respectfully submitted

  
\_\_\_\_\_  
John E. Curtin, Esq.  
Registration No. 37,602  
Attorney for Applicant

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/338,520 Filed/Issued Date: June 23, 1999

Entitled: CATHODE WITH IMPROVED WORK FUNCTION AND METHOD FOR MAKING THE SAME  
Agere Systems Inc., corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
 The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

In the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From Inventor(s) To: Lucent Technologies Inc.  
 The document was recorded in the United States Patent and Trademark Office at Reel 010123, Frame 0468, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Guardian Corp.  
 for which a copy thereof is attached.
3. From Agere Systems Guardian Corp. To: Agere Systems Inc.  
 for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

January 9, 2004  
 Date

John E. Curtin  
 Typed or printed name

[Signature]  
 Signature

Attorney of Record  
 Title

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**PATENT ASSIGNMENT**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS GUARDIAN CORP.**

**Dated as of January 30, 2001**

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## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

### RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

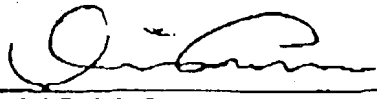
ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy  
President, Intellectual Property Business

**AGERE SYSTEMS GUARDIAN CORP.**

By:   
Fred M. Romano  
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY )


: ss:

COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and

b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

TAMORA ANNE HANNA

Notary Public

Notary Public of New Jersey

My Commission Expires: Registered in Hunterdon County

My Commission Expires March 25, 2002

[Notarial Seal]

STATE OF FLORIDA )

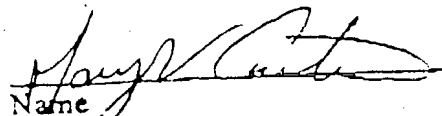
: ss:

COUNTY OF ORANGE )

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and

b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.

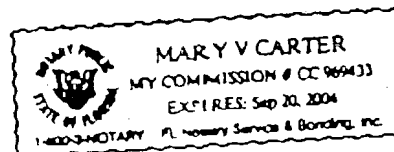


Name

Notary Public

My Commission Expires:

[Notarial Seal]



APPENDIX B (continued)  
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
	5/27/1999			09/322122
Jelinek 4-3-3	10/26/1998			09/178720
Jin 1	5/4/1998		09/072248	
Jin 153-5	1/14/1999			09/231566
Jin 169-18	11/19/1998			09/196486
Jin 170-19-17-41	11/6/1998	10/12/1999	5965197	09/187885
Jin 171-45	1/25/1999			09/236966
Jin 174-47-43	1/25/1999			09/236933
Jin 178-49-45	6/23/1999			09/338520
Jin 181-2-6-47	9/24/1999			09/405641
Jin 185	1/14/2000			09/483297
Jin 188	12/17/1999			09/466449
Jin 192-23-3	10/25/1999			60/161291
Jin 193-4-39	4/13/2000			09/548574
Jin 196-9-25	3/8/2000			09/521513
Jin 197-55-56	8/18/2000		09/642216	
Jin 198-10-26-5	1/20/2000			09/488662
Jin 2	1/20/2000			09/488355
Jin 4	4/9/1997		08/835624	
Joh 6	12/22/1998			09/218179
Johanson 43	5/5/1999			09/305207
Johanson 59	11/5/1999			09/434299
Johanson 79-37	6/29/1999			09/342783
Johnson 1-29	9/3/1998		09/146591	
Johnson 3	3/12/1999			09/267279
Johnson 4	10/16/1998			09/174503
Johnson 54-44-5-1-17	2/22/1994		08/199910	
Johnston 37-13	6/1/2000			09/585159
Jones 1-20-24-1	8/11/2000		09/636454	
Kalish 1	9/23/1997	5/23/2000	6067291	
Kamerman 8-8-4	10/27/1999			09/428085
Kane 10-8-42	10/24/1997		08/957122	
Kane 1-1	10/27/1999			09/428184
Kane 12-9-45	7/2/1999			09/346853
Kane 6-4	7/2/1999			09/347498
Kane 7-6	7/15/1998		09/115656	
Kannell 1-55-2	8/1/1997	5/16/2000	6064808	
Kapur 1-3-1	7/16/1998	4/18/2000	6051027	
Kapur 2-5-3	11/6/1998			09/187505
Kapur 3-7	10/26/1999			09/427238
Kapur 5-10	2/4/1997	7/25/2000	08/795195	6094093
Karanicolas 2	10/31/1997	4/18/2000	6052808	
Karri 1-5-3	4/13/1999			09/291448
Karri 2-2	4/7/1999			09/287137
Karthikeyan 1-7-10-6-13	1/11/2000			09/480387
Karthikeyan 2-30-54	7/18/2000			09/618172
Karunatilaka 1-3	6/22/1999			09/337741
Katsap 1-5	5/6/1999			09/306287
Katsap 3-10-7	5/7/1999			09/310701
Katsap 4-11-8	6/9/2000			09/591626
Katsap 5-1-1-10-1	6/9/2000			09/591627
Katsap 6-2-2-11-2	10/7/1999			09/414004
Katsap 7-1-1-12	3/29/1999			09/280103
Katz 31-2-3	1/3/2000			09/476511
Katz 35-3-4	5/17/2000			09/572207
Katz 36	6/28/2000			09/605507
Katz 38	10/29/1998			09/181568
Kaufman 13	11/18/1997		08/972884	
Kaufman 5	2/24/1998		09/028479	
Kaufman 6	9/11/1998		09/151670	
Kaufman 9-7				

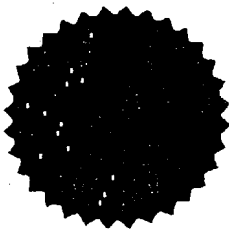
## The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION, WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3268412 8100M

020545223

AUTHENTICATION: 1959517

DATE: 08-29-02

**CERTIFICATE OF OWNERSHIP AND MERGER**

**OF**

**Agere Systems Guardian Corp.**  
**(a Delaware corporation)**

**INTO**

**Agere Systems Inc.**  
**(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), DOES HEREBY CERTIFY:

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

**AGERE SYSTEMS INC.**

By Paul Bento  
Paul Bento, Vice President